

UNCLASSIFIED / CLEARED FOR PUBLIC RELEASE

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

Filed with Classified
Information Security Officer

CISO

RSB/SLB

Date

8/31/15

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALI AL-TIMIMI,

Defendant.

) Case No. 1:04-cr-385-LMB

) Hon. Leonie M. Brinkema

**DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF UNREDACTED
DOCUMENTS TO CLEARED DEFENSE COUNSEL AND PRODUCTION OF INDEX
OF UNDISCLOSED EVIDENCE**

Defendant Dr. Ali Al-Timimi respectfully moves this Court to order the government to produce to his cleared defense counsel the unredacted versions of the "Squad IT-3" and "Ammerman Report" documents identified in the accompanying Memorandum. Moreover—because these two documents reference additional investigation files—Defendant further moves the Court to compel the government to produce an index of all related documents and evidence pertaining to Al-Timimi, as further described in the accompanying Memorandum and attached Proposed Order.

The parties have conferred, and the government has indicated that it opposes the motion.

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Respectfully submitted,

/s/

Thomas Michael Huff, Virginia Bar No. 73587
Thomas M. Huff, Attorney-at-Law
P.O. Box 2248
Leesburg, VA 20177
Telephone: 703.665.3756
Facsimile: 571.354.8985
thuff@law.gwu.edu

Jonathan Turley (*pro hac vice*, lead counsel)
The George Washington University Law School
2000 H Street, NW
Washington, D.C. 20052
(202) 994-7001 (telephone)
(202) 508-6200 (facsimile)
jturley@law.gwu.edu

Attorneys for Defendant Ali Al-Timimi

Dated: August 31, 2015

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CERTIFICATE OF SERVICE

I certify that on August 31, 2014, I filed the foregoing document with the Classified Information Security Officer, who will submit the document to the Court and serve a copy upon the following:

Gordon D. Kromberg
Assistant United States Attorney
Virginia Bar No. 33676
Assistant United States Attorney
Attorney for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
(703) 299-3700
(703) 837.8242 (fax)
gordon.kromberg@usdoj.gov

/s/

Jonathan Turley (pro hac vice, cleared counsel)
The George Washington University Law School
2000 H Street, NW
Washington, DC 20052
(202) 994-7001 (telephone)
(202) 508-6200 (facsimile)
jturley@law.gwu.edu

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UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 1:04-cr-385-LMB
v.)	
)	Hon. Leonie M. Brinkema
ALI AL-TIMIMI,)	
)	
Defendant.)	
)	

[PROPOSED] ORDER

This matter came before the Court on Defendant's *Motion to Compel Disclosure of Unredacted Documents to Cleared Counsel*. For good cause shown, the Court hereby GRANTS Defendant's motion.

It is hereby ORDERED that the government produce to cleared defense counsel the unredacted versions of the "Squad IT-3" and "Ammerman Report" documents.

It is further ORDERED that the government produce an index of all related documents and evidence pertaining to Al-Timimi. The index should include all documents and evidence related to the investigations referenced in the Squad IT-3 and Ammerman Report documents, as well as any other undisclosed evidence pertaining to Al-Timimi that relates to international terrorism investigations, Aulaqi, the Virginia Jihad or paintball case, and any of the witnesses or key figures raised in that investigation. In creating the index, the government should conduct searches that include all reasonable spelling variations of "Aulaqi" and "Al-Timimi"—including but not limited to "Awlaki" and "Tamimi." The index should further include the title, date,

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author (including agency, office, and officer who produced or wrote the document), and a brief description of the document in how its content relates to the aforementioned material elements.

SO ORDERED, this _____ date of _____, 2015.

Hon. Leonie M. Brinkema
United States District Judge

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Attorney for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
(703) 299-3700
(703) 837.8242 (fax)
gordon.kromberg@usdoj.gov

/s/

Jonathan Turley (pro hac vice, cleared counsel)
The George Washington University Law School
2000 H Street, NW
Washington, DC 20052
(202) 994-7001 (telephone)
(202) 508-6200 (facsimile)
jturley@law.gwu.edu

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